

REMARKS

The present application has been reviewed in light of the Office Action dated April 4, 2008. Claims 32, 33, 36-38, 41-43, 46, and 47 are presented for examination, of which Claims 32, 37, 42, and 47 are in independent form. Claims 32, 33, 36-38, 41-43, 46, and 47 have been amended to define aspects of Applicant's invention more clearly. Favorable reconsideration is requested.

The Office Action states that Claims 32, 33, 36-38, 41-43, 46, and 47 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,628,422 (*Ouchi*) in view of U.S. Patent No. 6,009,480 (*Pleso*) and further in view of excerpts from a book entitled "TCP/IP Illustrated, Volume I, The Protocols" (*Stevens*). Applicants submit that independent Claims 32, 37, 42, and 47, together with the claims dependent therefrom, are patentably distinct from the cited art for at least the following reasons.

The aspect of the present invention set forth in Claim 32 is directed to an image processing apparatus connected with an external information processing apparatus and a peripheral apparatus via a network. The image processing apparatus includes: (1) sending means for sending a scan stub driver for scanning service to the external information processing apparatus for scanning an image to get data; (2) obtaining means for obtaining a print stub driver for printing service that is a writing program delivered from the external information processing apparatus; (3) executing means for executing a scanning process to obtain data in response to a scan request from the scan stub driver in the external information processing apparatus sent by the sending means to a scan skeleton driver for scanning service in the image processing apparatus; and (4) transmitting means for transmitting the data obtained by the scanning process using the obtained print stub driver that is the writing program. The transmitting means is controlled by the

print stub driver that is the writing program to cause a print service by executing a print skeleton driver for printing service in the peripheral device to print the data obtained by the scanning process. In addition, the print service is performed by the print skeleton driver called remotely using a remote procedure call implemented in the print stub driver that is the writing program.

Notable features of Claim 32 include “executing means for executing a scanning process to obtain data in response to a scan request from the scan stub driver in the external information processing apparatus sent by the sending means to a scan skeleton driver for scanning service in the image processing apparatus” and “transmitting means for transmitting the data obtained by the scanning process using the obtained print stub driver that is the writing program, wherein the transmitting means is controlled by the print stub driver that is the writing program to cause a print service by executing a print skeleton driver for printing service in the peripheral device to print the data obtained by the scanning process, and wherein the print service is performed by the print skeleton driver called remotely using a remote procedure call implemented in the print stub driver that is the writing program.” Support for these features may be found, for example, in FIGS. 7, 11, 15, and 16, and in their respective descriptions in the specification. By virtue of these features, the image processing apparatus consumes less network bandwidth than conventional network based image processing apparatuses.

Ouchi relates to an image forming system that supplies image data scanned by a scanner to a printer, without the aid of a personal computer. Apparently, *Ouchi* teaches that the scanner generates scan image data, converts the scan image data into four-color dot image data, and transmits the dot image data to a printer in format understood by the printer (col. 9, lines 17-42). Nothing has been found in *Ouchi* that is believed to teach or suggest that a stub driver

executes a service remotely and that a skeleton driver provides the service in response to a request from the stub driver.

Pleso relates to a method and a system for integrating a device driver with a device. *Pleso* is cited in the Office Action for allegedly teaching that a peripheral device includes sending means for sending its device driver to a host, and for teaching that the host includes obtaining means for obtaining the driver. However, Applicants note that the Office Action fails to provide any citations to *Pleso* that correspond to these teachings. Nevertheless, nothing has been found in *Pleso* that is believed to teach or suggest that a stub driver executes a service remotely and that a skeleton driver provides the service in response to a request from the stub driver.

Stevens relates to network communications using TCP/IP. Apparently, *Stevens* teaches the use of remote procedure calls for efficiency and code reuse purposes (page 462). Nothing has been found in *Stevens* that is believed cure the deficiencies of *Ouchi* and *Pleso* identified above.

Applicants submit that a combination of *Ouchi*, *Pleso*, and *Stevens*, assuming such combination would even be permissible, would fail to teach or suggest “executing means for executing a scanning process to obtain data in response to a scan request from the scan stub driver in the external information processing apparatus sent by the sending means to a scan skeleton driver for scanning service in the image processing apparatus” and “transmitting means for transmitting the data obtained by the scanning process using the obtained print stub driver that is the writing program, wherein the transmitting means is controlled by the print stub driver that is the writing program to cause a print service by executing a print skeleton driver for printing service in the peripheral device to print the data obtained by the scanning process, and wherein the print service is performed by the print skeleton driver called remotely using a remote procedure

call implemented in the print stub driver that is the writing program,” as claimed in Claim 32. Accordingly, Applicants submit that Claim 32 is patentable over the cited art, and respectfully request withdrawal of the rejection of Claim 32 under 35 U.S.C. § 103(a).

Independent Claims 37, 42, and 47 include features similar to those discussed above, in which a stub driver executes a service remotely and a skeleton driver provides the service in response to a request from the stub driver. Therefore, Claims 37, 42, and 47 also are believed to be patentable for at least the reasons discussed above.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

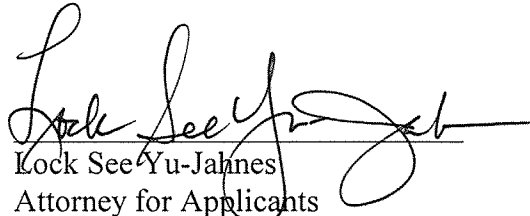
This Amendment After Final Action is believed clearly to place the present application in condition for allowance. Therefore, entry of this Amendment under 37 C.F.R. § 1.116 is believed proper and is respectfully requested, as an earnest effort to advance prosecution and reduce the number of issues. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicants’ undersigned attorney in an effort to resolve such issues and advance the case to issue.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and an early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,


Lock See Yu-Jahnes
Attorney for Applicants
Registration No. 38,667

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200